IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

Civil Application No.4104 of 2007
In
Writ Petition No.2142 of 2007

(Nemraj s/o Bapurao Vanjekar v. The Maharashtra State Co-operative Bank Ltd., Mumbai, and others)

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Office Notes, Memoranda of Coram, appearances, Court's orders or directions : Court's or Judge's orders and Registrar's orders.

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Shri P.C. Madkholkar, Advocate for Petitioner.
Shri S.S. Ghate, Advocate for R- 1.
Shri A.R. Patil, Advocate for R- 2 **(Not Present)**.

CORAM : A.H. Joshi & R.C. Chavan, JJ.
DATE : 13 th September, 2007

1. By this application, the petitioner seeks amendment of the petition to add “Registrar, Co-operative Societies and Commissioner for Co-operation, Maharashtra State, Pune” as party-respondent, in order to bring respondent No.1 within the definition of “State” under Article 12 of the Constitution of India, so as to invoke the writ jurisdiction of this Court.

2. The petitioner seeks to involve “Registrar, Co-operative Societies and Commissioner for Co-operation, Maharashtra State, Pune” as party-respondent in order to show the control of the State over the working of respondent No.1 Bank. This question had already been considered by one of us (R.C. Chavan, J.), sitting singly, in Sudhir s/o Chatarpal Kedar v. Chairman, Maharashtra State

Co-operative Bank and another, reported at 2006(2) Mh.L.J. 726, where it was held in para 14 of the judgment that control of Registrar of the Co-operative Societies does not clothe respondent No.1 Bank with the character of State. We see no reason to take a different view and, therefore, we disallow the amendment to the petition.

3. The civil application stands rejected.

JUDGE JUDGE

pdl